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CLERK U.S. DISTRICT COURT DISTRICT OF ARIZONA	
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UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA

United States of America,

Plaintiff,

v.

Michael Roy Turney,

Defendant.

NO. CR 08-1493-PHX-SRB

**SUPERSEDING**  
**INDICTMENT**

VIO: 26 U.S.C. §§ 5861(d) & 5871  
(Unlawful Possession of  
Unregistered Destructive Devices)  
Counts 1 and 2

26 U.S.C. §§ 5861(d) & 5871  
(Unlawful Possession of  
Unregistered Silencers)  
Count 3

18 U.S.C. § 844(i)  
(Attempt to Damage or  
Destroy a Building by Fire or  
Explosives)  
Count 4

THE GRAND JURY CHARGES:

**COUNT 1**

On or about December 11, 2008, in the District of Arizona, defendant MICHAEL ROY TURNEY did knowingly possess destructive devices, firearms as defined in Title 26, United States Code, Sections 5845(a)(8) and (f)(1)(A), that is:

one (1) black canvas bag containing 2 cans of lantern fuel, 2 cans of starter fuel, and 3 road flares (ATF Item # 1);

one (1) black canvas bag containing 1 can of Ozark Trail Camp Fuel, 1 road flare, with

1 one fuse, one "Shomer-Tech" smoke device taped together and placed on the camp fuel (ATF  
2 Item # 2); and,

3 one (1) black canvas bag containing 1 can of Coleman fuel, 2 road flares, and one  
4 "Shomer-Tech" smoke device (ATF Item # 3);

5 which firearms were not registered to the defendant in the National Firearms Registration and  
6 Transfer Record as required by Title 26, United States Code, Section 5841.

7 In violation of Title 26, United States Code, Sections 5861(d) and 5871.

8 **COUNT 2**

9 On or about December 11, 2008, in the District of Arizona, defendant MICHAEL ROY  
10 TURNEY did knowingly possess destructive devices, firearms as defined in Title 26, United  
11 States Code, Sections 5845(a)(8) and (f)(1)(A), that is:

12 one (1) pipe bomb consisting of 1 1/4 inch by 10 inch polyvinyl chloride PVC tube,  
13 sealed at both ends, fused with common hobby fuse, and containing suspected smokeless powder  
14 and steel shot (ATF Item #4);

15 one (1) pipe bomb consisting of 1 1/4 inch by 8 inch polyvinyl chloride PVC tube, sealed  
16 at both ends, fused with common hobby fuse, and containing suspected smokeless powder and  
17 steel shot (ATF Item # 5);

18 one (1) pipe bomb consisting of 1 1/4 inch by 7 1/4 inch polyvinyl chloride PVC tube,  
19 sealed at both ends, fused with common hobby fuse, and containing suspected smokeless powder  
20 and steel shot (ATF Item #6);

21 one (1) pipe bomb consisting of 1 1/4 inch by 7 inch polyvinyl chloride PVC tube, sealed  
22 at both ends, fused with common hobby fuse, and containing suspected smokeless powder and  
23 steel shot (ATF Item # 7);

24 five (5) pipe bombs taped together in a bag, consisting of 3/4 inch by 3 3/4 to 5 inch  
25 polyvinyl chloride PVC tubes, sealed at both ends, fused with common hobby fuse, and  
26 containing suspected smokeless powder and steel shot (ATF Item # 8);

27 five (5) pipe bombs taped together in a bag, consisting of 3/4 inch by 4 to 5 1/4 inch  
28

1 polyvinyl chloride PVC tubes, sealed at both ends, fused with common hobby fuse, and  
2 containing suspected smokeless powder and steel shot (ATF Item # 9);

3 one (1) pipe bomb consisting of 3/4 inch by 5 inch polyvinyl chloride PVC tube, sealed  
4 at both ends, fused with common hobby fuse, and containing suspected smokeless powder (ATF  
5 Item # 10);

6 one (1) pipe bomb consisting of 3/4 inch by 5 inch polyvinyl chloride PVC tube, sealed  
7 at both ends, fused with common hobby fuse, and containing suspected smokeless powder and  
8 steel shot (ATF Item # 11);

9 one (1) pipe bomb consisting of 3/4 inch by 5 1/4 inch polyvinyl chloride PVC tube,  
10 sealed at both ends, fused with common hobby fuse, and containing suspected smokeless powder  
11 and steel shot with firecrackers taped to the tube (ATF Item # 12);

12 eight (8) pipe bombs in a bag, consisting of 3/4 inch by 4 1/2 to 5 inch polyvinyl chloride  
13 PVC tubes, sealed at both ends, fused with common hobby fuse, and containing suspected  
14 smokeless powder and steel shot (ATF Item #13); and,

15 one (1) pipe bomb consisting of 24 3/4 inch by 4 inch polyvinyl chloride PVC tube,  
16 sealed at both ends, fused with common hobby fuse, and containing suspected smokeless powder  
17 and nails (ATF Item # 14);

18 which firearms were not registered to the defendant in the National Firearms Registration and  
19 Transfer Record as required by Title 26, United States Code, Section 5841.

20 In violation of Title 26, United States Code, Sections 5861(d) and 5871.

21 **COUNT 3**

22 On or about December 11, 2008, in the District of Arizona, defendant MICHAEL ROY  
23 TURNEY , knowingly possessed two silencers, firearms as defined in Title 26, United States  
24 Code, Section 5845(a)(7), that is:

25 one (1) metal cylindrical device, black in color, approximately 8-1/4 inches in length and  
26 approximately 1-3/8 inches at its major diameter. It has no visible marking referencing a  
27

1 manufacture nor a serial number; and,

2 one (1) plastic cylindrical device, black in color approximately 9-5/8 inches in length and  
3 approximately 1-1/2 inches at its major diameter. It has no visible marking referencing a  
4 manufacture nor a serial number;

5 which firearms were not registered to the defendant in the National Firearms Registration and  
6 Transfer Record as required by Title 26, United States Code, Section 5841.

7 In violation of Title 26, United States Code, Sections 5861(d) and 5871.

8 **COUNT 4**

9 On or about December 11, 2008, in the District of Arizona, the defendant, MICHAEL  
10 ROY TURNEY, maliciously attempted to damage and destroy, by means of fire and explosive  
11 materials, a building used in interstate commerce, that is, the building located at 5808 N. 7<sup>th</sup>  
12 Street; Phoenix, Arizona which was occupied and utilized by the International Brotherhood of  
13 Electrical Workers.

14 In violation of Title 18, United States Code, Section 844(i).

15  
16 A TRUE BILL

17  
18 s/  
19 FOREPERSON OF THE GRAND JURY  
Date: June 2, 2009

20  
21 DIANE J. HUMETEWA  
United States Attorney  
District of Arizona

22  
23 s/  
24 PAUL V. ROOD  
Assistant U.S. Attorney

25  
26 s/  
DAVID A. PIMSNER  
Assistant U.S. Attorney